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August 1, 1990

Nancy E. Bacon, Esq.  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region VII  
726 Minnesota Avenue  
Kansas City, Kansas 66101

Re: Pries Enterprises, Inc.

Dear Ms. Bacon:

The purpose of this letter is to forward to U.S.EPA as part of ongoing settlement negotiations a Closure Plan prepared by Ms. Caroline Israel of Terracon Environmental, Inc. This document, entitled Closure Plan For the Drum Storage Area at Pries Enterprises, Independence, Iowa dated July 26, 1990, is being submitted without any admission as to liability of any sort with respect to any of the allegations contained in the Complaint, Compliance Order and Notice of Opportunity for Hearing, Docket Number VII-88-H-0034. As you are aware from discussions with my associate, Carla Nelson, Ms. Israel projects that within seventy-five days after obtaining approval of the U.S.EPA for the Closure Plan, closure can be completed and a closure report and certification submitted. Two-thirds of this time is taken up by projected time for sample analysis and preparation and submittal of a closure report. The projected costs of closure are only \$6,040.

As you have identified to me, one of the major stumbling blocks in settling this case has been financial assurance to carry out the closure. Given the fact that we have prepared and submitted this Closure Plan and project that it will take

IOWA SECTION



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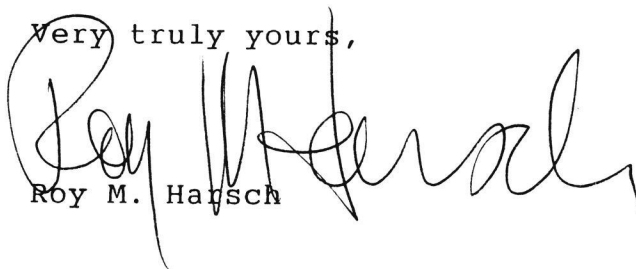
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Nancy E. Bacon, Esq.  
August 1, 1990  
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only seventy-five days to complete at a cost of \$6,040, it would appear to me that settlement of this matter could be greatly effectuated by a prompt review of the enclosed straightforward Closure Plan. In the event that your technical staff has any questions, I would direct that they refer these technical questions to Ms. Caroline Israel directly at Terracon Environmental, Inc. Her phone number is 402-330-2202.

As you know from your discussions with Carla Nelson, she is likewise on vacation. Once you both return next week, I am hopeful that this matter can be quickly resolved. Again, an expedited technical review of the Closure Plan would greatly effectuate settlement. My client stands ready, willing and able to carry out this closure as soon as EPA gives its approval. Please contact me once you have had a chance to review this letter on your return to your office.

Very truly yours,



Roy M. Harsch

RMH:dr  
Enclosure

cc: Honorable Spencer T. Nissen (w/encl.)

CLOSURE PLAN FOR THE DRUM STORAGE AREA  
AT PRIES ENTERPRISES, INDEPENDENCE, IOWA  
EPA ID NO. IAD981716806  
JOB NO. 42905060  
July 26, 1990

1.0 INTRODUCTION

This document describes the proposed plan for closure of the drum storage area at the Pries Enterprise' facility located in Independence, Iowa. Pries Enterprises (Pries) intends to close the drum storage area in a manner that minimizes the need for further maintenance; and controls, minimizes, or eliminates to the extent necessary to protect human health and the environment, post closure escape of hazardous waste, hazardous constituents, leachate contaminated runoff, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere; and, addresses the closure requirements of 40 CFR Section 264.112 and 40 CFR Section 264.258.

The drum storage area at the facility is shown on Figure 1.

A copy of this closure plan and revisions to this plan will be available for inspection at Pries Enterprises' Independence facility until final closure is completed and, as necessary, certified in accordance with applicable regulatory requirements. A copy of the final plan and revisions will be furnished to representatives of the EPA.

2.0 BACKGROUND

The Pries Enterprises facility is located at 701 17th Street in Independence, Iowa. Pries is an aluminum extruder with fabrication/assembly capabilities.

In 1986 construction began to add the capability of painting aluminum extrusions. The painting operation process was designed to hang the extrusion horizontally, followed by seven dip tanks for cleaning and etching, parts drying, paint application, and paint curing. The fifth tank contained hexavalent chromium.

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The second tank contained sodium hydroxide and sodium phosphate. The painting operation was not used in production due to poor performance during the pilot study phase performed after construction was completed. Suspension of the painting operation pilot study required draining and treatment of the water in the tanks used in the cleaning and etching process. Treatment of waste water from the tanks generated sludge which was stored in 83 55-gallon drums on-site. Forty drums of waste sludge were shipped on June 17, 1988 by Chemical Waste Management to C.I.D. in Calumet City, Illinois. Forty-three additional drums were shipped November 4, 1988 by Chemical Waste Management to C.I.D. in Calumet City, Illinois.

#### MAXIMUM INVENTORY OF WASTE

On February 11, 1988, forty-nine drums of sludge generated from the wastewater treatment process were stored in the drum storage area. Thirty-four additional drums of sludge were generated during the cleanup of the painting operations between February and November, 1988. The total quantity of waste generated at this facility is approximately 4,600 gallons.

Generation of the sludge was sporadic from 1986 through November, 1988 when the last of the sludge was shipped from the facility. This facility does not currently generate, store or treat hazardous waste.

#### 4.0 DESCRIPTION OF THE DRUM STORAGE AREA

The drum storage area is shown on Figure 1. The drum storage area was located on the concrete surface in the corner of the facility's production building. The area is approximately 10 feet x 25 feet.

#### 5.0 CLOSURE PERFORMANCE STANDARD

The closure performance proposed for this closure is the maximum concentration for characteristic of EP Toxicity of 5 mg/l for chromium in the rinsate.

In accordance with 40 CFR 265.111, the facility will be closed in a manner that minimizes the need for further maintenance, and controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste or hazardous constituents to the environment.

#### 6.0 CLOSURE PROCESS

The drum storage area as shown on Figure 1 will be cleaned to remove residual hazardous substance on the concrete pad and adjacent walls. The concrete pad and adjacent walls to former drum height will be swept, washed with a hot solution of water and an inorganic cleanser such as Alconox, and rinsed with clean, potable water. Water quantity will be minimized to limit runoff and facilitate capture of the rinsate. Liquid and solid residue generated during the cleaning process will be containerized and samples will be collected for analytical testing of chromium to determine the disposal method. Following the rinse cycle, a sample of the final rinsate will be collected for analytical testing of chromium. If the concentration of chromium exceeds the performance standard, the decontamination process will be repeated.

Brushes, containers, and personal protective equipment used to clean the container storage area will be cleaned with an inorganic cleanser and rinsed with potable water. Rinsate will be contained and samples will be collected for analytical testing of chromium. Any significant quantity of solid (about 10 kilograms) will be containerized, tested as outlined, and disposed of properly. Because a concentration of hazardous substances on the surface of the concrete is unlikely to be significant, the crew performing the cleanup will not be required to wear respiratory protection. Rubber gloves, rubber boots, and eye protection will be worn to limit contact with the cleaning solution. Disposable equipment will be treated as hazardous waste.

## 7.0 CERTIFICATION

Closure activities will be reviewed and observed by a representative of an independent professional engineer registered in the State of Iowa. At the conclusion of sampling and analysis, a final report will be prepared for submission to the EPA and signed by the professional engineer.

## 8.0 CLOSURE SCHEDULE

The closure schedule is shown below. The schedule will begin with approval by the EPA and end with certification by the professional engineer. Barring unanticipated problems, closure will be completed within 90 calendar days after commencement.

Days Elapsed

in Calendar Days

Task

0	Receive closure plan approval from EPA.
21	Mobilize for closure field activities.
25	Clean drum storage area and collect samples.
50	Receive analytical results.
75	Prepare and submit closure report and certification.

## 9.0 CLOSURE COST

The closure costs estimated for performing the closure are outlined below. The cost estimate assumes no corrective action is required.

*	Cleaning of drum storage area.....	\$ 2,000
*	Sampling and analysis of the rinsate.....	\$ 200

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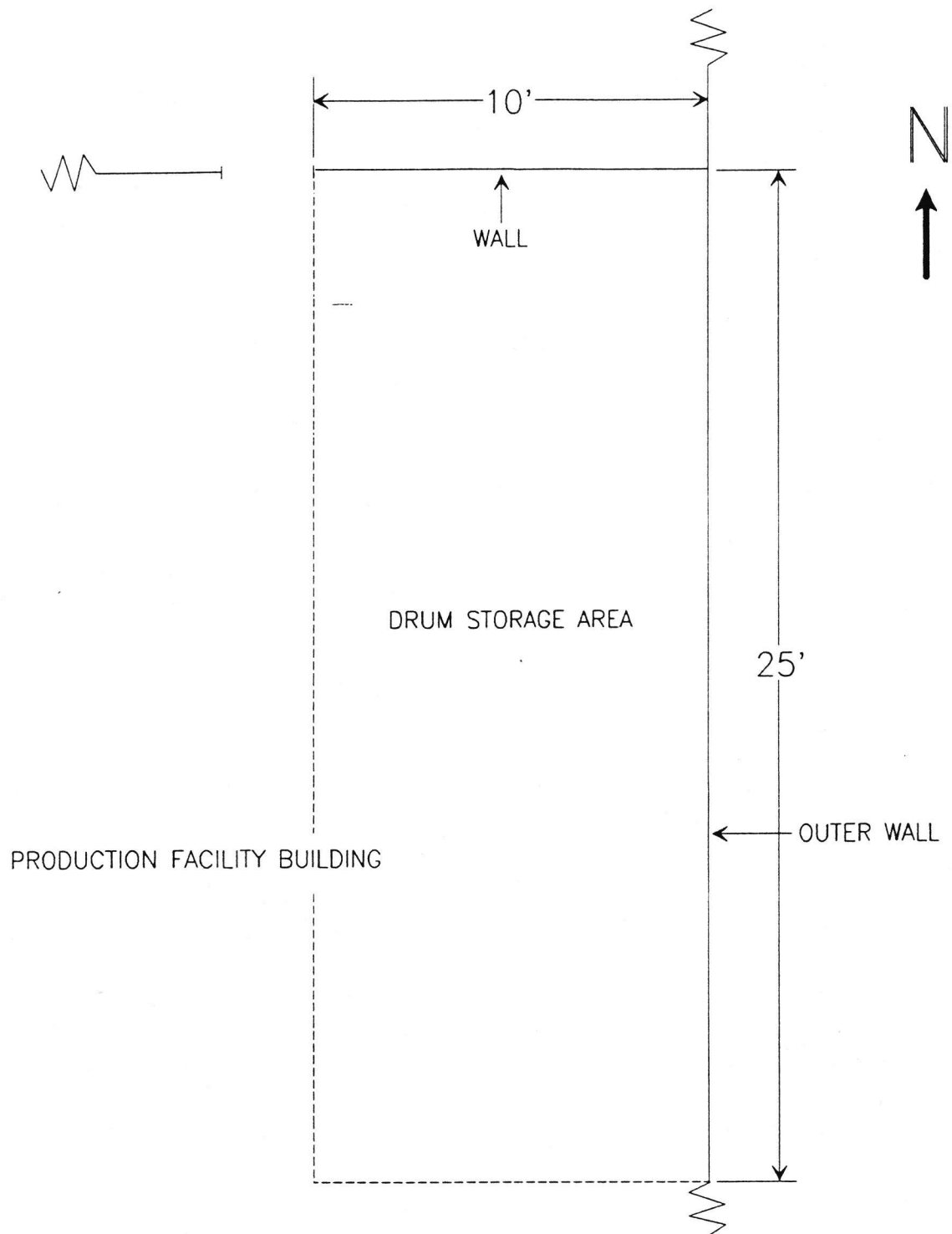
Terracon

*	Inspections, professional engineer, and certification and closure supervision.....	\$ 3,000
*	Contingency at 20%.....	<u>\$ 1,040</u>
*	Total.....	\$ 6,040

#### 10.0 FINANCIAL ASSURANCE

Financial assurance information will be supplied under separate cover.

FIGURE 1.  
DRUM STORAGE AREA  
PRIES ENTERPRISES, INC.  
INDEPENDENCE, IOWA  
JOB NO. 42905060



**Terracon**



57  
June 26, 1990

Honorable Spencer T. Nissen  
Administrative Law Judge  
Mail Code A-110  
U.S. Environmental Protection Agency  
401 M Street, S.W.  
Washington, D.C. 20460

RE: Pries Enterprises, Inc.  
Docket No. RCRA VII-88-H-0034

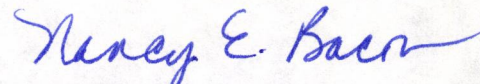
Dear Judge Nissen:

EPA was notified today that the Respondent in the referenced case has retained new co-counsel who specializes in environmental matters. Although the parties had tentatively reached a settlement, we were unable to agree to all terms in the consent agreement. The parties, including Respondent's new attorney, will continue to negotiate these issues. If an agreement cannot be reached in the near future, however, Complainant wishes to have the case resolved at hearing as soon as possible.

The new firm has requested sufficient time to familiarize itself with the case and to pursue further negotiations, to which EPA has no objection. Since I will be on a detail to EPA headquarters from July 2 to August 3, 1990, I will be unavailable for hearing before then. If possible, please reset this matter on your hearing docket for a date after August 15, 1990.

Thank you for your consideration in this matter.

Respectfully submitted,



Nancy E. Bacon  
Assistant Regional Counsel

cc: Linda McKenzie, Hearing Clerk, Region VII  
Mr. John W. Holmes, Esq. (certified mail)  
Mr. Roy Harsch (certified mail)